United States District Court Southern District of Texas

ENTERED

June 29, 2021
Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION

MORGAN MCMILLAN,
Individually and as Next Friend of E.G., a minor child,

Plaintiff,

V.

CASE NO. 4:18-CV-2242

MANAZON.COM, INC., and HU XI JIE,

Defendants.

AMENDED ORDER

The Supreme Court of Texas has held that "potentially liable sellers are limited to those who relinquished title to the product at some point in the distribution chain." *Amazon.com, Inc. v. McMillan*, No. 20-0979, 2021 WL 260585, at *1 (Tex. June 25, 2021). Because third-party sellers do not relinquish title to their products, "Amazon is not a 'seller'" of those "products under Texas law." *Id.*

Accordingly, Defendant Amazon.com, Inc.'s motion for summary judgment is GRANTED. (Instrument No. 33).

The Clerk shall enter this Order and provide a copy to all parties.

SIGNED on the day of June, 2021, at Houston, Texas.

VANESSA D. GILMORE UNITED STATES DISTRICT JUDGE